

Bribery Act 2010

Bribe (v) – dishonestly persuade to act in one's favour by a gift of money or other inducement.

ETHICS, RULES OF CONDUCT, PROFESSIONALISM

Legislation in place to help prevent corruption and ensure ethical practice by businesses and individuals, including prohibiting the offering, giving, or receiving of bribes.



THE ACT

The Bribery Act 2010 (the Act) aims to prevent corruption by making it a criminal offence to offer, promise, give, request, or accept a *bribe*, either directly or indirectly. The Act applies to individuals and organisations which conduct business in the UK (or abroad where a UK connection might exist).

The Act sets out key offences, including:

- offering or giving a bribe;
- accepting a bribe; and
- failing to prevent bribery within a commercial organisation.

The Act requires businesses and industry professionals to implement robust procedures in order to prevent bribery.

Breaches of the Act can result in unlimited fines and/or imprisonment (and related reputational damage).

The application of the Act in Building Surveying may be seen particularly in dealing with projects and contractors, ensuring that no undue favour is allowed in a given tender process.

A chartered surveyor must consider their actions in relation to the Act to ensure they uphold their professional obligations as an RICS member.

APPLICATION OF THE ACT

Some example key actions to ensure compliance with the Act require firms and individuals to:

- Adopt and communicate a clear anti-bribery policy.
- Carry out due diligence on suppliers, clients, and partners.
- Provide regular training and awareness for employees.
- Maintain accurate financial and expense records together with gift registers.
- Assess any gifts received based on their timing and proportionality, e.g. the difference of a contractor buying a coffee for a Contract Administrator during a site progress meeting, versus an offer of expensive corporate hospitality during a tender stage.

PREVENTING BRIBES

To avoid accepting a bribe, it's important to have a strong sense of personal ethics and to always act with integrity, as is required under the RICS Rules of Conduct.